

## **Sex Offender Classification Board Meeting**

### **Minutes**

July 16, 2004 – 9:00 a.m.

**Present:** Thomas Hearn, chair, Pamela Huntsman, and Moscelene Sunderland members; Kathy Baird, assistant. Gary Horton was excused.

### **Minutes Approval**

Minutes of the following meetings were reviewed:

- April 23, 2004 regular meeting; and
- June 16, 2004 conference call

A MOTION WAS MADE BY PAMELA HUNTSMAN TO APPROVE THE APRIL 23<sup>RD</sup> MINUTES WITH ONE CORRECTION. THE MOTION WAS SECONDED BY MOSCELENE SUNDERLAND AND PASSED UNANIMOUSLY.

A MOTION WAS MADE BY MOSCELENE SUNDERLAND TO APPROVE THE JUNE 16<sup>TH</sup> MINUTES AS WRITTEN. THE MOTION WAS SECONDED BY PAMELA HUNTSMAN AND PASSED UNANIMOUSLY.

### **Budget Update – Kathy Baird, SOCB Assistant**

Ms. Baird reported that 4% of the SOCB operating budget remained at year's end. The board discussed major expenditures for the new fiscal year:

- Publishing of administrative rules;
- Pamela Huntsman will attend an upcoming sexual offender assessment, treatment and supervision conference in Seattle; and
- SOCB funds will partially cover Thomas Hearn's and Gary Horton's attendance at the annual ATSA conference.

### **Legal Update – Tim McNeese, Deputy Attorney General**

At the SOCB's request, the Criminal Law Division of the Attorney General's office reviewed the issue of sexual history polygraph examinations performed in conjunction with pre-sentence psychosexual evaluations.

- They concluded that since offenders are given the option to not take a sexual history polygraph during the pre-sentence evaluation process, their Fifth Amendment right against self incrimination is not violated. This finding is supported by case law ([Idaho] State v. Curless).
- The polygraph language in the SOCB's Temporary & Proposed Administrative Rule document was approved.

### **Administrative Rules**

The draft (modified) Temporary and Proposed SOCB Administrative Rule document was reviewed. A final version will be submitted for October publication. The rules will become effective upon publication.

- The board discussed a letter from Dr. Robert Engle. Some of his suggestions were incorporated into the rule document.

Miscellaneous Business

- The next SOCB meeting is scheduled for Saturday morning, 11/6/04. A public hearing to receive comments about the Temporary and Proposed Administrative rules will be held in the afternoon.

The meeting concluded at 11:45 a.m.

Submitted by:

Kathy Baird

Management Assistant